

JAMAICA.

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L A W S

AND

REGULATIONS

RELATING TO

QUARANTINE.



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1874.





JAMAICA—No. 37 OF 1869.

A Law as to Quarantine.—[22d July, 1869.]

WHEREAS it is desirable to consolidate the laws Preamble, relating to quarantine: Be it enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:

First—This Law may, for all purposes, be cited as Short title.
“The Quarantine Law, 1869.”

Second—In this Law the term “infected place,” means Interpretation of terms “infected place,”
any port or place where yellow fever, the plague, cholera, or any epidemic disease of a contagious or infectious character in fact prevails, or any port or place which the governor, in privy council, may declare to be an infected port or place; the word “vessel,” means any ship, vessel, or boat; and the word “master,” means the master, officer, or other person for the time being in charge or command of such vessel.

Third—The governor is hereby authorized to appoint Appointment of quarantine board, not less than three, or more than five persons to be a board, to be called “The Quarantine Board,” who shall hold their offices during pleasure, and from time to time to fill up the vacancies to such board; and such board, of whom two shall be a quorum, shall have full power and authority to superintend and enforce the carrying out of the laws, rules, and regulations for the time being in force relating to quarantine.

Fourth—The governor is hereby authorized from time to time to appoint such officers as may be necessary to carry out the said laws, rules, and regulations under the direction of the said board, who shall hold their offices during pleasure.

Power to go-
vernor to make
rules.

Fifth—The governor, in privy council, may from time to time make such rules and regulations as to him shall seem fit for the more effectual carrying out the provisions of this Law, and to secure the due performance of quarantine, and for the government of all vessels and persons coming from any infected place, and may alter or amend any such rules and regulations; such rules and regulations, and altered or amended rules and regulations, shall be duly published in the "Jamaica Gazette," and, after such publication, shall have the same force and effect as if the same had been herein particularly specified.

Governor may
declare infect-
ed places.

Sixth—Whenever it shall appear to the governor, in privy council, that any disease of a contagious or infectious character prevails at any port or place, or that it is probable that any such disease may be brought into the island from any port or place, it shall be lawful for him to declare, by like public notification, that such port or place is an infected port or place.

Vessels and
persons liable
to quarantine.

Seventh—All vessels arriving at this island, together with all persons, goods, and merchandize whatsoever thereon, coming from any infected place, or having on board any person who has come from such infected place, or who is ill of any contagious or infectious disease, or on board of which vessel any person shall have died from any such disease during the passage to this island, shall be liable to perform quarantine in such place for such time and in such manner as hereinafter provided.

Vessels to be
visited by vi-
siting officer.

Eighth—Every vessel arriving at any of the ports of this island from any infected place shall, immediately on arrival, and before having any communication with the shore, be visited by the visiting officer of the port to which such vessel shall come, who is hereby authorized and required, at a convenient distance from such vessel, to put the following questions, or such of them as may be necessary, and any other questions which he may consider desirable:

1. What is the name of the vessel, and of the master?
2. To what port or place does she belong?

3. From whence do you come ?
4. To what port or place are you bound ?
5. At what ports or places have you touched in the course of the voyage ?
6. What vessels have you had any intercourse or communication with during your voyage, and from whence did they come ?
7. Have you any, and what bill of health ; produce it ?
8. Did you carry any bill of health with you to the port or place where you took in the cargo or passengers you now have on board ; from what place ; were the said bills of health clean, unclean, or suspected ?
9. Did any contagious or infectious disease prevail in any degree at the port or place from which you sailed, or at any of the ports or places at which you touched ; if yes, say what disease prevailed, and at which port or place ?
10. What number of officers, crew, passengers, or other persons have you on board ?
11. Were any of these taken on board at any port or place during the voyage to this island ; if yes, who were so taken on board, and at what port or place, and on what day or days ?
12. Are any persons on board your ship suffering under any contagious or infectious disease ; or have any persons died or been ill of any disease of that nature in your passage to this island ; and if any, what number ?
13. If any have died or been ill of any such disease, have their bedding and clothes been destroyed ?
14. In the course of your voyage have any persons on board suffered from sickness of any kind ; what was the nature of the sickness, and when did it prevail ; how many persons were affected by it ?
15. How had the persons attacked been employed before they came on board ; had they been employed in loading or unloading the vessel ?
16. Did the persons who were ill fall sick nearly about the same time, or within a few days of each other ; or did the disorder spread successively from one to another, and increase considerably ?

17. What is the number of persons now ill on board your vessel ; are the convalescents able to be on deck ; if so, parade them on the gangway ?

18. Have there been any deaths on board during the voyage ; if yes, what were the causes of the deaths, and when did such deaths take place ?

19. Have you any person on board who has left (name of infected port or place) within fourteen days ?

20. Where did you take in the cargo now on board, and when ; if at more than one place, state the places ?

21. Was any cargo, or were any letters, parcels, or articles of any kind put on board at (name of infected port or place) ; if yes, state what was put on board, and when and whether any special precaution was taken with respect to such thing ?

Visiting officer
may go on
board.

Ninth—The said visiting officer may, if he thinks it necessary, go on board any such vessel and examine the master, officers, crew and passengers thereof respectively, as to their state of health then and during the voyage, and demand to see the journal or log and ship's papers of such vessel, and put any of the questions set forth in the preceding section, or any other question which he shall think desirable.

Penalty for
concealment
or untrue an-
swer.

Tenth—Any master or other person who shall conceal from any visiting officer the true state of the health of the crew or other persons on board such vessel, or shall give an untrue answer to any inquiry made by such visiting officer, under the authority of this law, shall be liable to a penalty not less than five pounds, and not exceeding one hundred pounds.

Penalty for
quitting vessel
before visit of
visiting officer.

Eleventh—No master or other person belonging to or on board of such vessel, and no pilot or pilot's assistant who shall have proceeded on board such vessel, shall quit the same for the purpose of landing or communicating with the shore before such vessel shall have been visited by the visiting officer, unless permission to do so be granted in writing by the visiting officer.

Proceeding on

Twelfth—No person, the pilot or his assistant except-

ed, shall proceed on board such vessel before she shall have been visited by the visiting officer, unless permission to do so be granted to him in writing by the visiting officer.

Thirteenth—Any person offending against the provisions of either of the two last preceding sections shall be liable to a penalty not less than five pounds, and not exceeding fifty pounds.

Fourteenth—If any vessel shall have arrived from, or touched at any infected place, or have on board any person who has come from such place, or on board which any person may have died during the passage to this island, or may be ill of any contagious or infectious disease, or if the visiting officer shall have good grounds to suspect that such vessel, or some person on board thereof, has arrived from or touched at any such place, the said visiting officer is required to cause the said vessel to hoist a quarantine flag, and to anchor at the quarantine ground until released by the said visiting officer.

Fifteenth—Subject to any special rules and regulations of the governor, in privy council, the following rules, as to the duration of quarantine, shall be observed :

1. All vessels, on board of which any person shall be sick, or shall have been sick of any contagious or infectious disease, or shall have died of such disease within fourteen days before her arrival at this island, shall remain in quarantine until the expiration of fourteen days from the day when such sickness shall cease, or shall have ceased, or from the day when such death occurred.

2. All vessels that shall have sailed from, or touched at any infected place, or shall have any person on board who shall have come from any such place, shall remain in quarantine for such time, not being less than two days, nor exceeding fourteen, as shall be directed by the quarantine board on a due investigation of all the circumstances of the case.

board without permission.

Vessels from infected places may be ordered to quarantine ground, until released.

Duration of quarantine.

3. If, during the continuance of a vessel in quarantine any person on board such vessel falls sick of any contagious or infectious disease, such vessel shall be liable to remain in quarantine for a further period of fourteen days from the day when such sickness shall cease.

Selection of
quarantine
grounds.

Sixteenth—The quarantine board shall, with the approval of the governor, appoint suitable places for quarantine grounds, and shall have power, with the like approval, from time to time to change such places.

Removal of
vessel to qua-
rantine ground.

Seventeenth—Any master of a vessel liable to the performance of quarantine, who shall not, after notice, cause such vessel to proceed to the quarantine ground, shall be liable to a penalty not less than ten pounds, and not exceeding fifty pounds; and it shall be lawful for the visiting officer, or any person called to his assistance, to enforce the removal of any such vessel to the quarantine ground, and to use all necessary means for that purpose.

A flag to be
hoisted during
quarantine.

Eighteenth—The master of every vessel subject to quarantine shall, during the day, hoist and keep flying a yellow flag, which shall be provided by the quarantine board, and shall, during the night, hoist and keep alight a signal lantern, which when necessary shall also be provided for by the quarantine board; and every master offending herein shall be liable to a penalty not less than five pounds, and not exceeding fifty pounds.

No person to
land, and no
cargo to be
taken from any
such vessel.

Nineteenth—Until any vessel as aforesaid shall have performed and been duly discharged from quarantine no person on board of or belonging to such vessel, nor any part of the cargo, stores, or lading of the same, nor any article or thing belonging to the passengers, master, officers, or crew thereof shall be permitted to leave, or be removed, or taken from such vessel either to go or be put on shore, or on board of any other vessel in any port of this island, unless by the direction of the governor, in privy council, or of the quarantine board, or of some person duly authorized by them; and every such vessel, and all persons, goods, and merchandize thereon, and all vessels and persons having communica-

tion with the same, shall be subject to such rules and regulations as may be made by the governor, in privy council.

Twentieth—Until any vessel as aforesaid shall have performed and been duly discharged from quarantine, no person, except the visiting officer, or such other person as may be authorized by the quarantine board, shall go on board such vessel; and no article or thing shall be taken or received on board such vessel except by the direction of the quarantine board, or of the said visiting officer.

Twenty-first—Any person offending against the provisions of sections nineteen and twenty, or either of them, shall be liable to a penalty not less than five pounds, and not exceeding fifty pounds.

Twenty-second—If, during the time that any vessel is in quarantine the master thereof shall, without the permission of the quarantine board, or of the visiting officer, quit, or knowingly suffer any passenger, seaman, or other person on board to quit such vessel, or any goods, articles, or things whatsoever to be taken from such vessel, he shall be liable to a penalty not less than ten pounds, and not exceeding one hundred pounds.

Twenty-third—Any person who, during the continuance of quarantine, leaves the vessel without proper permission on that behalf, may, in addition to the penalty hereinbefore mentioned, be apprehended by any constable or other person, and compelled to return to the said vessel, or be taken before a justice, who may order that such person be returned to the said vessel, or be confined in some lazaretto, or other suitable place of confinement for such period not less than two days, nor exceeding fourteen, as he may think fit.

Twenty-fourth.—Any person who goes on board a vessel in the performance of quarantine without permission as aforesaid, may be compelled to remain on board the said vessel, and be subject to the rules and regulations thereof during the continuance of the quarantine, or until such time as to the quarantine board shall seem fit.

Governor in
privy council
empowered to
provide laza-
rettoes.

Twenty-fifth—The governor, in privy council, is hereby authorized, whenever it shall be thought necessary, to provide, at the public expense, one or more vessel or vessels, or buildings, and to cause the same to be fitted up as lazarettoes for such use and purposes as the quarantine board shall, with the approval of the governor, from time to time order and direct.

Governor to
frame rules for
lazarettoes.

Twenty-sixth—The governor, in privy council, is authorized from time to time to frame such rules and regulations as may be deemed expedient for the government and direction of the lazaretto or lazarettoes, and of such persons as may belong thereto, or be placed therein, and to alter or amend such rules.

Penalties for
entering or
leaving laza-
rettoes without
permission.

Twenty-seventh—Any person, except the visiting officer; who enters or leaves any lazaretto without permission from the quarantine board, or from the said visiting officer, may be dealt with in the manner hereinbefore provided in the case of a person without permission going on board or leaving the vessel in the performance of quarantine, and shall be liable to the like penalties.

Misconduct of
quarantine
officers.

Twenty-eighth—Any officer or person appointed to enforce the performance of quarantine, who shall desert from duty, or shall infringe, or knowingly suffer or permit any person to infringe the provisions of this law, and of any rules and regulations in force concerning quarantine, shall be liable to a penalty not less than five pounds, and not exceeding fifty pounds, and shall be subject to immediate dismissal.

Concealment
or conveyance
of property
from vessel or
place in qua-
rantine.

Twenty-ninth—Any person who shall knowingly conceal or clandestinely convey any letters, goods, wares, or merchandize from any vessel liable to, or in the performance of quarantine, or from any vessel, house, or other place where any persons or goods shall be subjected to quarantine, shall be liable to a penalty of not less than ten pounds, and not exceeding fifty pounds.

Release from
quarantine.

Thirtieth—As soon as any quarantine shall have been fully performed by any vessel or person, the visiting officer or other person appointed by the governor in that

behalf, shall grant a certificate to that effect ; whereupon every such vessel or person and all cargo and goods on board such vessel shall be liberated from all detention on the ground of quarantine.

Thirty-first—It shall be lawful for the governor, in ^{Power to add penalties to rules.} privy council, to enforce any rule or regulation to be made in pursuance of this Law, by a fine or penalty not exceeding, in any one case, the sum of ten pounds.

Thirty-second—All penalties incurred under this law, ^{Recovery of penalties.} or the rules and regulations to be made in pursuance thereof, may be recovered before any two justices, who, in default of payment, are hereby authorized to commit the offender to the nearest gaol for any period not exceeding six months : Provided always, That upon payment by the offender of the penalties and costs, after commitment, his imprisonment shall cease.

Thirty-third—All penalties which shall be recovered ^{Appropriation of penalties.} and paid under this Law, and the rules and regulations aforesaid, shall be paid to her majesty, her heirs and successors, for the public use of this island.

Thirty-fourth—For the protection of persons acting ^{Protection of persons acting under this law.} in the execution of this Law, all actions and prosecutions against any person for any thing done in pursuance of this Law, shall be commenced within six calendar months after the act committed and not otherwise ; and notice, in writing, of such action, and the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action, and in any such action the defendant may plead the general issue, and give this Law and the special matter in evidence at any trial to be had thereupon ; and no plaintiff shall recover in any such action, if sufficient amends shall have been tendered or paid into court by or on behalf of the defendant ; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined ; or if, upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and shall have the like remedy for the same as any defendant hath by law in other cases ;

and although a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the judge, before whom the trial shall be, shall certify his approbation of the action, and the verdict obtained thereon.

Expenses
by Proviso
10.

Thirty-fifth—It shall be lawful for the governor to authorize, by warrant upon the treasurer, payment of any expenses incidental to the execution of this law.

Proviso with
regard to ves-
sels in charge
of mails.

Thirty-sixth—Nothing in this Law contained shall extend, or be construed to extend, to prevent the delivery by the officers in charge of her majesty's mails, of any mails that may from time to time be on board of any steam vessel under such rules and regulations for the prevention of the introduction of any of the before-mentioned diseases as may from time to time be made by the governor, in privy council, who is hereby empowered to make such rules and regulations in regard to the landing and receipt of the said mails, and in regard to the coaling of the said steamers in any port within this government.

Suspension or
renewal of law.

Thirty-seventh—It shall be lawful for the governor, in privy council, from time to time to suspend the operation of this Law, or any part thereof, and for such period of time as may be thought expedient, and again to revive the same, or any part thereof.

Repeal of acts.

Thirty-eighth—The acts fourth Victoria, chapter thirty-two, and eighth Victoria, chapter nine, shall be, and the same are hereby repealed, but notwithstanding such repeal all penalties under the said acts, or either of them, incurred during the subsistence of the said acts, may be recovered and enforced as if this present law had not been passed.

Existing rules
continued until
other rules
made.

Thirty-ninth—All rules and regulations existing and in force in relation to quarantine at the time of the passing of this Law, so far as such rules and regulations are not inconsistent with the provisions of this Law, shall be and remain in force until other rules and regulations shall be made under this Law.



JAMAICA—LAW 32 OF 1872.

A Law to amend the Quarantine Law, 1869. [4th July, 1872.]

WHIEREAS it is desirable that every vessel arriving Preamble. at any of the ports of this island should be liable to be visited by the visiting officer of the port to which such vessel shall come: And whereas it is doubtful whether vessels not coming from any infected place and not having any disease on board, are liable to be so visited under the "Quarantine Law, 1869," (Law 37 of 1869): Be it enacted by the governor of Jamaica, with the advice and consent of the legislative council, as follows:

1—Sections 8 to 13 of "The Quarantine Law, 1869," Sections 8 to 13 of quarantine law, 1869, to apply to all vessels. shall apply to all vessels, whether coming from an infected place or not.

2—Rules made under Law 37 of 1869 may prescribe, subject to any exceptions mentioned in such rules, a distance from vessels in quarantine, within which it shall be unlawful for any person to come, and within which it shall be unlawful to send or permit to be sent any person or thing. Rules under law 37 of 1869 may prescribe distances from vessels in quarantine to be observed.

3—It shall be lawful for the governor, in privy council, by a public notification, to withdraw, and to declare to be no longer in force, any public notification given under section 6 of the "Quarantine Law, 1869." How governor may withdraw notification under section 6 of quarantine law, 1869.

4—This law shall be read as part of, and as incorporated with the "Quarantine Law, 1869." This law incorporated with quarantine law 1869.

JAMAICA.

R U L E S

Made by the Governor, in Privy Council, for the more effectual carrying out of the provisions of the Quarantine Law, 1869.

1. Ships placed in Quarantine by the Health Officer are to hoist the Yellow Flag at the Foretop-gallant Mast-head, and are to take up an anchorage without delay in the Quarantine Ground where they are to remain until released by order of the Quarantine Board.
2. The Quarantine Ground shall be pointed out by the Visiting Officer.
3. A Constable is to be placed on board each Ship in Quarantine, and is to see that all Rules and Regulations in respect of Quarantine are strictly carried out.
4. No personal communication is to take place between Vessels in Quarantine and the Shore. No Boats from the Shore or from other Boats or Vessels, whether in Quarantine or not, shall be allowed to have personal communication with a Ship in Quarantine.
5. No Ship shall be allowed to anchor within a hundred yards of the Quarantine Buoy placed in the centre of the Quarantine Ground.
6. Lighters or Boats conveying Cargo, or Coals, or other supplies to Ships in Quarantine may be towed to the Quarantine Buoy, and to prevent personal communication with the Ships in Quarantine, all persons on board such Boats or Lighters must then quit them and return outside the limits of the Quarantine Ground.
7. The Boats or Lighters so left may then be towed alongside the Ship in Quarantine by her Crew and unloaded, but no packages are to be returned to the Boats or Lighters from the Ship. When the Boats or Lighters are empty they are to be towed back by the Crew of the Ship to the Quarantine Buoy, and after the men so employed have left them, the persons who may be in

charge of such Boats or Lighters may proceed to the Quarantine Buoy to fetch them away.

8. All Boats belonging to Ships in Quarantine are to hoist a Yellow Flag in the bow when absent from their Ships.

9. Passengers in Ships that are placed in Quarantine may, with the sanction of the Visiting Officer, be landed in the Ships' Boats at such Lazaretto or place as may be pointed out by the Visiting Officer, and subject to his instructions and supervision.

10. Cases of sickness among the Crew or Passengers of Ships in Quarantine may, with the sanction of the Visiting Officer, and under his instructions and supervision, be landed in the Ships' Boats at the Lazaretto.

11. No articles of Clothing or Bedding that have been used in cases of disease shall be permitted to be landed.

12. The Mail Bags from a Ship in Quarantine shall, before being landed undergo such process of fumigation as the Visiting Officer may consider necessary.

13. Any Person who may have died on board a Ship in Quarantine shall be buried in such place as shall be pointed out by the Visiting Officer.

14. In case of a Ship in Quarantine proceeding to sea the Constable shall be previously landed at the Lazaretto. The Pilot who accompanies the Ship to sea shall proceed on his return to the Lazaretto, and both Constable and Pilot shall remain there in Quarantine for the same period as the Ship would have been kept if she had remain at anchor.

15. In cases where the Quarantine Board may think that the nature of the contagious or infectious disease is such as to render it unnecessary to keep the Ship in which any case of such disease shall have occurred in Quarantine for so long a period as fourteen days, or if there be other circumstances to justify any shortening of

the period of fourteen days of Quarantine, the Quarantine Board may, if they shall think fit, admit a Vessel to pratique at an earlier period than the period of fourteen days provided in section 15 of Law 37 of 1869.

16. Any Person who may be found guilty of any infringement of any of these Rules or Regulations shall be subject to a penalty not exceeding ten pounds.

17. All Rules made previously to the passing of these Rules are hereby cancelled.

Passed in Privy Council, this 2nd day of April,
A.D. 1874.

(Signed)

WILLIAM A. G. YOUNG.



